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28 OCT 2002

Docket No.: PF-0609 USN

Pct

Certificate of Mailing

Hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Sequence, Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202 on October 21, 2002.

By: [Signature]Printed: Lyza Fimiliar**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of: Tang et al.Title: BONE MARROW-DERIVED SERUM PROTEINSSerial No.: 09/806,276Filing Date: March 27, 2001Examiner: To Be AssignedGroup Art Unit: To Be Assigned

Box Sequence
Commissioner for Patents
PO Box 2327
Arlington, VA 22202

FEE TRANSMITTAL SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notice of Defective Response (2 pp.);
3. Copy of Notice of Defective Response dated September 20, 2002 (10 pp.);
4. Substitute Submission Under 37 CFR § 1.821-1.825 Sequence Listing (1 pg.);
5. Paper Copy of Substitute Sequence Listing (5 pp.); and
6. One (1) Substitute CRF diskette containing the Sequence Listing.

The fee has been calculated as shown below:

☒ X No additional Fee is required.☐ Please charge Deposit Account No. **09-0108** in the amount of :\$

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: October 21, 2002[Signature: Susan K. Sather]

Susan K. Sather

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: BONE MARROW-DERIVED SERUM PROTEINS

Serial No.: 09/806,276

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P.O. Box 2327
Arlington, VA 22202

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the "Notification of Defective Response" mailed by the United States Patent and Trademark Office on September 20, 2002 (copy attached), Applicants submit the documents listed below to complete the filing for the above-identified patent application.

1. Substitute Submission Under 37 CFR 1.821-1.825 Sequence Listing (1 pg.); and
2. One (1) Substitute CRF diskette containing the Sequence Listing.

Applicants submit this amendment to request entry of the enclosed paper copy of the sequence listing from International Application Number PCT/US99/22908 into the above-identified U.S. national phase patent application.

The Applicants believe that no fee is due with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: October 21, 2002

Susan K. Sather

Susan K. Sather

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Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 27 2002

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

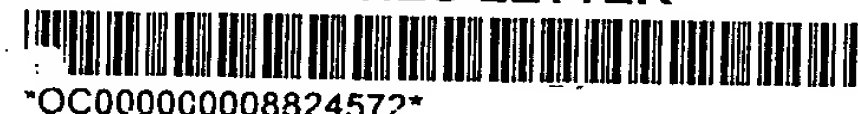
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/806,276	Y Tom Tang	PF-0609 USN

Incyte Genomics
3160 Porter Drive
Palo Alto, CA 94304



INTERNATIONAL APPLICATION NO.	
PCT/US99/22908	
I.A. FILING DATE	PRIORITY DATE
10/01/1999	

CONFIRMATION NO. 6626
371 FORMALITIES LETTER



Date Mailed: 09/20/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
 - APPLICANT MUST PROVIDE:

SEP 27 2002

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/806,276	PCT/US99/22908	PF-0609 USN

FORM PCT/DO/EO/916 (371 Formalities Notice)